UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

JEFFERY EVANS, FREDERICK EVANS, GREGORY EVANS, AND WENDELL EVANS **Plaintiffs** **v.** **IGOR SOKOL,** **Defendant**	**No.**

COMPLAINT FOR DAMAGES

The complaint of Jeffery Evans, Frederick Evans, Gregory Evans, and Wendell Evans, persons of full age, and domiciled in Brunswick County, North Carolina respectfully represent the following:

1.

This is a case of Admiralty and Maritime Jurisdiction under Article 3 § 2 of the United States Constitution and the general maritime laws of the United States.

2.

Made defendant herein is, **IGOR SOKOL**, alleged on information and belief to be a person of the full age and domiciled at 314 Commonwealth Avenue, Boston, MA, 02115.

3.

Jeffery Evans is the owner and operator of a 78-foot shrimp boat, the F/V Wesley's Pride, and a 65-foot shrimp boat, the F/V Miss Evans. Frederick Evans, Gregory Evans, and Wendell Evans also have ownership interests in the F/V Miss Evans. Jeffery Evans keeps the vessels docked at his place of business the Shrimp Shack, at Holden Beach Bridge on the Intracoastal Waterway in Supply, North Carolina. On June 18, 2009, at about 3:00 p.m., the Evans' two vessels were docked at the Shrimp Shack wharf with the Miss Evans tied up to the wharf, and the Wesley's Pride tied outboard of the Miss Evans.

4.

At the same time, the M/Y Alisa, a 63 foot Azimut Benetti motor yacht, home ported in Newport R.I. and owned, manned, operated and being captained by defendant Igor Sokol, was traveling northbound on the Intracoastal Waterway at an excessive rate of speed and creating a four to six foot wake. As she approached the Holden Beach Bridge, the Alisa entered a no-wake zone, but did not slow down. Although the two shrimp boats were, or reasonably should have been, in plain view and sight of the crew of the Alisa, the Alisa did not reduce its speed and, consequently, as it passed the two shrimp boats, the significant wake created by the Alisa struck the two shrimp boats with such great force that it picked up the Wesley's Pride and slammed her onto the Miss Evans, which in turn slammed into the wharf, resulting in serious physical damage to the two vessels and to the wharf.

5.

The incident was fortunately witnessed by a U.S. Coast Guard patrol boat, which stopped the Alisa and issued a citation to the defendant for negligent operations due to the creation of a significant wake causing damage to Evans' shrimp boats.

6.

Plaintiffs show that the incident and resulting damages sued upon were the direct and proximate result of the negligence and fault of the defendant, which negligence is listed more particularly but not exclusively as follows:

A. Intentionally or negligently failing to reduce speed when he saw or reasonably should have seen the fishing boats that he was approaching;

B. Failing to keep a proper lookout;

C. Violating Coast Guard and other statutory and regulatory safety statutes and regulations;

D. Acting in a willful, reckless and wanton manner;

E. Other acts or omissions which may be shown through discovery or at trial;

F. Generally, the failure to act with the required degree of care commensurate with the situation.

7.

As a result of the foregoing negligence, Plaintiffs are entitled to be compensated for the physical damages to and loss of and destruction of personal property done to their shrimp boats and dock. They have also suffered loss of income as a result of this property damage, all in an amount which is just and reasonable in the premises.

8.

In addition, plaintiffs are entitled under the General Maritime Law to exemplary or punitive damages because of the reckless, willful and wanton conduct of the defendant.

WHEREFORE, plaintiffs pray that after due proceedings had, there be judgment in their favor and against defendant, **IGOR SOKOL,** for the damages alleged herein above including, but not limited to, compensatory and punitive damages in an amount which is just and reasonable with legal interest thereon from date of loss until paid or, alternatively, from date of judgment until paid and for all costs of these proceedings.

Respectfully submitted,

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